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March 3, 2004

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MAR 01 2004

OFFICIAL

THE UNITED STATES PATENT AND TRADEMARK OFFICE  
In re application of: Frank P. Forbath

Application No.: 09/886,415  
Filed: 06/20/01

Group No.: 2841

Examiner: M. Lindinger

For: AN IMPROVED MEDICAL TIMING SYSTEM FOR USE BEFORE AND DURING  
CHILDBIRTH LABOR

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

- Re. 1) Office Action Summary, mailed 08/27/2003  
2) M. Lindinger phone call of this AM re 1) above  
3) F. Forbath response to 1), dated 1/30/04, sent Express Mail 1/30/04

Dear Mr. Lindinger

Thank you for the courtesy of your phone call to me approximately 10 AM today, re. 1) and your (misunderstanding) that I had not responded in a timely manner to USPTO.

Per your request, Attachment A. is a copy of my 1/30/04 response (Re. 3)) to your Re 1), Office Action Summary, thus **approving and accepting** your Final Action, i.e., your rejection of my Claim 1, your permission to cancel Claims 2-8, and your **Allowance of Claims 9-14**. Hence, I have no pending claims. Please refer to other items in Attachment A.

Please note that Attachment A. was sent Express mail the early afternoon of 1/30/04. Per your request, I am to Fax a copy of the USPS Express Mail receipt. I have not yet located the receipt. I must have misfiled the receipt, but I will continue to look for it. (Unfortunately, I have many files, since I am a retired aerospace engineer, an inventor & an entrepreneur. A further excuse for misfiling may be that I had cataract eye surgery on 1/26/04 - with bad eyesight for several days - and colonoscopy surgery on 1/28/04, both which sorta temporarily disabled me.)

To temporarily lend some credibility to my mailing the 1/30/04 letter to USPTO, Attachment B. is a copy of my letter dated 1/22/04 to Mr. G. Scott, in which I expressed my astonishment that his staff had not advised me of your 8/27/03 Office Action Summary. You are hereby authorized to call Mr. Scott (714-668-1900) to verify his receipt of that letter.

I am sending this now, without yet locating the USPS Express Mail receipt, so that this information hopefully may be received before your working day is over.

Respectively,

*Pg 1 of 5*



Frank P. Forbath

Ph/Fax: 714-545-2374

2<sup>nd</sup> Ph. Line: 714-549-2001

E-mail: fforbath@aol.com

## Attachments:

- A. 1/30/04 F. Forbath letter to USPTO
- B. 1/22/04 F. Forbath letter to G. Scott, re USPTO Office Action Summary

*CORRECTION:*

ATTACHMENT C, IS THE JUST LOCATED USPS  
RECEIPT & USPTO STAMP OF 1/30/2004 (ON REVERSE  
OF MY STAMPED, RETURN ADDRESS POSTCARD, MAILED  
1/30/04)

 3/1/04

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